

IN THE UNITED STATES PATENTS AND TRADEMARK OFFICE

In re application of)	FLUORESCENT SILICA-BASED
)	NANOPARTICLES
Wiesner et. al.)	
)	
Application Serial No. 10/536,569)	Examiner:
)	
Filed: May 26, 2005)	Group Art Unit:

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 Mail Stop: PCT
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Submitted herewith are patents (attached hereto and listed on the attached Form PTO/SB/08A (modified) which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.


While the information and references disclosed in this Information Disclosure Statement may be "prior art" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any of said information is "material" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement

is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

Respectfully Submitted,

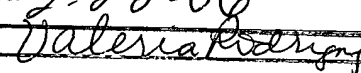
Date: February 22, 2006

By: 
Jonathan A. Harris
Reg. No. 44,744

Wildman, Harrold, Allen & Dixon LLP
225 West Wacker Drive
Chicago, Illinois 60606
Phone: (312) 201-2000

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450. 2-22-06



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

Application Number	10/536,569
Filing Date	May 26, 2005
First Named Inventor	Ulrich Weisner
Art Unit	
Examiner Name	
Attorney Docket Number	COR-004

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 2003/0017264 A1	01-23-2003	Treadway, Joseph A. et al.	
	2	US- 4,279,617	07-21-1981	Masson, Pierre et al.	
	3	US- 4,774,339	09-27-1988	Haughland, R. et al.	
	4	US- 4,810,636	03-07-1989	Corey, Paul F.	
	5	US- 4,812,409	03-14-1989	Babb, Bruce E. et al.	
	6	US- 5,187,288	02-16-1993	Kang, Hee C. et al.	
	7	US- 5,248,782	09-28-1993	Haughland, R. et al.	
	8	US- 5,260,957	11-09-1993	Farhad Hakimi et al.	
	9	US- 5,274,113	12-28-1993	Kang, Hee C. et al.	
	10	US- 5,433,896	07-18-1995	Kang, Hee C. et al.	
	11	US- 5,639,603	06-1997	Dower et al.	
	12	US- 5,830,912	11-03-1998	Gee, Kyle R. et al.	
	13	US- 5,981,180	11-23-1999	Chandler et al.	
	14	US- 5,990,479	11-23-1999	Weiss, Shimon et al.	
	15	US- 6,180,415	1-2001	Schulz et al.	
	16	US- 6,207,392	03-27-2001	Weiss, Shimon et al.	
	17	US- 6,251,303	06-26-2001	Bawendi, Mounji G. et al.	
	18	US- 6,268,222	07-31-2001	Chanler, Mark et al.	
	19	US- 6,274,323	08-14-2001	Bruchez, Marcel P. et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	1	WO99/50916 A	10-07-1999	Bawendi, Mounji G. et al.		
	2	WO96/10282	04-04-1996	Michael Graham Burt		

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND**

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2

of 2

Complete if Known

Application Number	10/536,569
Filing Date	May 26, 2005
First Named Inventor	Ulrich Weisner
Art Unit	
Examiner Name	
Attorney Docket Number	COR-004

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	20	US- 6,306,610	10-23-2001	Bawendi, Mouni G. et al.	
	21	US- 6,319,426	11-20-2001	Bawendi, Mouni G. et al.	
	22	US- 6,322,901	11-27-2001	Bawendi, Mouni G. et al.	
	23	US- 6,326,144	12-04-2001	Bawendi, Mouni G. et al.	
	24	US- 6,344,272	02-05-2002	Oldenburg, S. et al.	
	25	US- 6,423,551	07-23-2002	Weiss, Shimon et al.	
	26	US- 6,426,513	08-06-2002	West, Jennifer et al.	
	27	US- 6,444,143	09-03-2002	Bawendi, Mouni G. et al.	
	28	US- 6,454,789	09-24-2002	Chen, James et al.	
	29	US- 6,479,146	11-12-2002	Caruso, F. et al.	
	30	US- 6,500,622	12-31-2002	Bruchez Jr., Marcel P. et al.	
	31	US- 6,548,264	04-15-2003	Tan, W. et al.	
	32	US- 6,576,219	06-10-2003	Brandt, James D. et al.	
	33	US- 6,649,138	11-18-2003	Adams, E. W. et al.	
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/536,569
		Filing Date	May 26, 2005
		First Named Inventor	Ulrich Weisner
		Art Unit	
		Examiner Name	
Sheet 1	of 2	Attorney Docket Number	COR-004

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A	GRAF, CHRISTINA et al., "Dye-labeled Poly(organosiloxane) Microgels with Core-shell Architecture (Pages 6170-6180)	
	B	JUNGSMANN, NADJA et al., "Communications-dye Loading of Amphiphilic Poly(organosiloxane) Nanoparticles (Pages 1713-1717)	
	C	XU, HAO et al., "A Real-time Ratiometric Method of the Determination of Molecular Oxygen Inside Living Cells Using Sol-Gel-Based Spherical...", 9/1/2001 (Pgs. 4124-4133)	
	D	BLAADEREN, A. VAN and VRIJ, A. VAN, "Synthesis and Characterization of Colloidal Dispersions of Fluorescent, Monodisperse Silica Spheres, 8/10/1992 (Pages 2921-2931)	
	E	BLAADEREN, A. VAN et al., "Three-dimensional Imaging of Submicrometer Colloidal Particles in Concentrated Suspensions Using Confocal Scanning Laser Microscopy (Pgs. 1514-1517)	
	F	KOO, YONG-EUM LEE et al., "Real-Time Measurements of Dissolved Oxygen Inside Live Cells by Organically Modified Silicate Fluorescent Nanosensors (Pages 2498-2505)	
	G	OW, HOOISWENG, et al., "Project Abstract", Poster Session: NYSTAR CAT: Biotechnology, (April 23, 2000)	
	H	SRIVASTAVA, MAMTA, et al., "Single Particle Tracking of Fluorescent Silica Nanoparticles Bound to IgE Receptors on RBL Mast Cells", National Conference: Biophysical Soc.	
	I	STOBER, WERNER et al., "Controlled Growth of Monodisperse Silica Spheres in the Micron Size Range", Journal of Colloid and Interface Science, Volume 26, (1968) 62-69	
	J	BRUCHEZ, et al., Science, 9/25/1998, 281 (5385), Pgs. 2013-2016	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/536,569
		Filing Date	May 26, 2005
		First Named Inventor	Ulrich Weisner
		Art Unit	
		Examiner Name	
Sheet 2	of 2	Attorney Docket Number	COR-004

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	K	LAL. et al., Chem. Mater., 9/2000, 12(9), Pgs. 2632-2639	
	L	Synthesis and Characterizations of a Size Series of Highly Luminescent Nanocrystallites; Journal of Physical Chemistry Vol. 101, No. 46, Nov. 13, 1997 (Pgs. 9463-9475)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.